

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

Case No. 25-cv-11221-WGY

ADMINISTRATIVE RECORD CERTIFICATION

1. I am the Principal Deputy Director of the Bureau of Ocean Energy Management (BOEM) within the Department of the Interior (DOI). I have served as Principal Deputy Director since May 18, 2025. Prior to my current role, I served as Senior Advisor to the Secretary from March 24, 2025, to May 17, 2025.
2. In both of those roles, I have coordinated with DOI leadership and career staff regarding DOI's implementation of the January 20, 2025, Presidential Memo entitled, *Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects* (Wind Memo).
3. Section 2(a) of the Wind Memo directed several agencies, including DOI, to "not issue new or renewed approvals, rights of way, permits, leases, or loans for onshore or offshore wind projects pending the completion of a comprehensive assessment and review of Federal wind leasing and permitting practices."
4. I understand that it is the position of the United States that DOI's temporary cessation of wind energy approvals and other authorizations pursuant to the directive in Section 2(a) of

the Wind Memo is not final agency action subject to challenge under the Administrative Procedure Act. This certification is provided without waiving any such argument.

5. Despite the United States' position, the Court has ordered DOI to provide an administrative record for DOI's temporary cessation of wind energy approvals and other authorizations.
6. I hereby certify to the best of my knowledge, information, and belief that the attached documents constitute a true, correct, and complete copy of DOI's administrative record that the Court ordered be produced and that no other documents constituting evidence considered, either directly or indirectly, by DOI exist.
7. I also hereby certify that this administrative record is being provided on behalf of DOI, which includes the Agency Defendants the Bureau of Ocean Energy Management, the Bureau of Land Management, and the Fish and Wildlife Service.

Dated: July 11, 2025

**MATTHEW
GIACONA**

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GIACONA
Date: 2025.07.10 18:13:24
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Matthew N. Giacona
Principal Deputy Director
Bureau of Ocean Energy Management
Department of the Interior